



Attorney Docket No. 09792909-5625

JPW
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

re Patent Application of:
Osamu Goto et al.

Application No. 10/606,176

Filed: June 25, 2003

For: SEMICONDUCTOR LIGHT EMITTING
DEVICE, ITS MANUFACTURING
METHOD, SEMICONDUCTOR DEVICE
AND ITS MANUFACTURING METHOD

Group Art Unit: 2811

Examiner: Ori Nadav

)) CERTIFICATE OF MAILING

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September 8, 2004

) Suzarah Maguigad

) Suzarah A. Maguigad

Commissioner For Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RESPONSE TO ELECTION/RESTRICTION REQUIREMENT

Dear Sir:

This amendment is being filed in response to the Office communication dated August 5, 2004. Applicants submit herewith a one-month petition for extension of time pursuant to 37 C.F.R. §1.136(a) and the fee set forth in 37 C.F.R. §1.17(a). Please reconsider the application in view of the amendment and remarks presented below.

ELECTION OF CLAIMS

In the Office Action of August 5, 2004, the Examiner requested an election of claims pursuant to an election requirement under 35 U.S.C. §121, between Group I claims 146-157 and 171-183, drawn to a semiconductor device and Group II claims 158-170, and 184-205, drawn to a process of making a semiconductor device.

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Examiner further requested an election of species pursuant to a restriction requirement under 35 U.S.C. §121, of claims 146-157 and 171-183, between the embodiment of Figure 1, embodiment of Figure 6, and embodiment of Figure 9, and claims 158-170 and 184-205 between embodiment of Figure 1, embodiment of Figure 3, embodiment of Figure 4, embodiment of Figure 5, embodiment of Figure 6, embodiment of Figure 9, embodiment of Figure 11, embodiment of Figure 12, embodiment of Figure 13, embodiment of Figure 14, embodiment of Figure 15, and embodiment of Figure 16.

In response, Applicants hereby elect Group I claims 146-157 and 171-183 drawn to a semiconductor device, and the species of claims 146-157 and 171-183, directed to the embodiment of figure 6. Regarding Examiner's statement that no claims are generic, Applicants reserve the right to demonstrate whether an allowed claim is generic to other species once claims are allowed.

The Commissioner is hereby authorized to credit overpayments or to charge any deficiency in required fee to Deposit Account No. 19-3140.

Respectfully submitted,

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By: September 8, 2004